

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 640
98TH GENERAL ASSEMBLY

4715H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 301.067, 301.560, 301.564, 304.154, and 304.170, RSMo, and to enact in lieu thereof eight new sections relating to vehicles, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 301.067, 301.560, 301.564, 304.154, and 304.170, RSMo, are
2 repealed and eight new sections enacted in lieu thereof, to be known as sections 301.067,
3 301.125, 301.136, 301.560, 301.564, 304.153, 304.154, and 304.170, to read as follows:

301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven
2 dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used
3 in combination with tractors operated under the supervision of the [motor carrier and railroad
4 safety division] **highways and transportation commission** of the department of [economic
5 development] **transportation**. The fees for tractors used in any combination with trailers or
6 semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or
7 semitrailers) shall be computed on the total gross weight of the vehicles in the combination with
8 load.

9 2. Any trailer or semitrailer may at the option of the registrant be registered for a period
10 of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

11 3. Any trailer as defined in section 301.010 or semitrailer [which is operated coupled to
12 a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly] may, at
13 the option of the registrant, be registered permanently upon the payment of a registration fee of
14 fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific.
15 The plate and the registration fee paid is nontransferable and nonrefundable, except those
16 covered under the provisions of section 301.442.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

301.125. There is hereby established an advisory committee for the department of revenue, which shall exist solely to develop uniform designs and common colors for license plates issued under this chapter and to determine appropriate license plate parameters for all license plates issued under this chapter. The advisory committee shall adopt a type of design and color scheme for license plates issued under this chapter that commemorates the bicentennial of Missouri. The advisory committee may adopt more than one type of design and color scheme; however, each license plate of a distinct type shall be uniform in design and color scheme with all other license plates of that distinct type. The specifications for the fully reflective material used for the plates, as required by section 301.130, shall be determined by the committee. Such plates shall meet any specific requirements prescribed in this chapter, except that, such plates shall be exempt from the requirements of subsection 1 of section 301.130. The advisory committee shall consist of the director of revenue or his or her designee, the superintendent of the highway patrol, the correctional enterprises administrator, the director of the department of transportation, the executive director of the State Historical Society of Missouri, and the respective chairpersons of both the senate and house of representatives transportation committees. The committee shall meet, select a chairperson from among its members, and develop uniform design and license plate parameters for the license plates issued under this chapter not later than January 1, 2017. Prior to determining the final design of the plates, the committee shall hold at least three public meetings in different areas of the state to invite public input on the final design. Members of the committee shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties under this section. The director of revenue shall have the final design of the uniform license plates, along with any specific parameters for all license plates developed by the committee, available for issuance in all license fee offices in this state not later than January 1, 2019. The committee shall be dissolved upon completion of its duties under this section.

301.136. 1. Any camping or fifth-wheel trailer, as defined in section 407.1320, that is over twenty-five years old may be permanently registered upon payment of a registration fee of twenty-five dollars. Upon the transfer of the title to any such trailer, the registration shall be canceled and the license plates issued therefor shall be returned to the director of revenue.

2. The owner of any such trailer shall file an application in a form prescribed by the director and a certificate of registration shall be issued therefor.

3. Notwithstanding any provisions of this section to the contrary, any person possessing license plates issued by the state of Missouri that are over twenty-five years old, in which the year of issuance of such plates is consistent with the year of the manufacture

11 **of the camping or fifth-wheel trailer, may register such plates as historic trailer plates as**
12 **set forth in this section, provided that the configuration of letters, numbers, or combination**
13 **of letters and numbers of such plates is not identical to the configuration of letters,**
14 **numbers, or combination of letters and numbers of any plates already issued to an owner**
15 **by the director. Such license plates shall not be required to possess the characteristic**
16 **features of reflective material and common color scheme and design as prescribed by**
17 **section 301.130. The owner of the historic trailer registered under this section shall keep**
18 **the certificate of registration in the trailer at all times. The certificate of registration shall**
19 **be prima facie evidence that the trailer has been properly registered with the director and**
20 **that all fees have been paid.**

301.560. 1. In addition to the application forms prescribed by the department, each
2 applicant shall submit the following to the department:

3 (1) Every application other than a renewal application for a motor vehicle franchise
4 dealer shall include a certification that the applicant has a bona fide established place of business.
5 Such application shall include an annual certification that the applicant has a bona fide
6 established place of business for the first three years and only for every other year thereafter. The
7 certification shall be performed by a uniformed member of the Missouri state highway patrol or
8 authorized or designated employee stationed in the troop area in which the applicant's place of
9 business is located; except that in counties of the first classification, certification may be
10 performed by an officer of a metropolitan police department when the applicant's established
11 place of business of distributing or selling motor vehicles or trailers is in the metropolitan area
12 where the certifying metropolitan police officer is employed. When the application is being
13 made for licensure as a boat manufacturer or boat dealer, certification shall be performed by a
14 uniformed member of the Missouri state [water patrol stationed in the district area in which the
15 applicant's place of business is located or by a uniformed member of the Missouri state] highway
16 patrol **or authorized or designated employee** stationed in the troop area in which the applicant's
17 place of business is located or, if the applicant's place of business is located within the
18 jurisdiction of a metropolitan police department in a first class county, by an officer of such
19 metropolitan police department. A bona fide established place of business for any new motor
20 vehicle franchise dealer, used motor vehicle dealer, boat dealer, powersport dealer, wholesale
21 motor vehicle dealer, trailer dealer, or wholesale or public auction shall be a permanent enclosed
22 building or structure, either owned in fee or leased and actually occupied as a place of business
23 by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles,
24 boats, personal watercraft, or trailers and wherein the public may contact the owner or operator
25 at any reasonable time, and wherein shall be kept and maintained the books, records, files and
26 other matters required and necessary to conduct the business. The applicant's place of business

27 shall contain a working telephone which shall be maintained during the entire registration year.
28 In order to qualify as a bona fide established place of business for all applicants licensed pursuant
29 to this section there shall be an exterior sign displayed carrying the name of the business set forth
30 in letters at least six inches in height and clearly visible to the public and there shall be an area
31 or lot which shall not be a public street on which multiple vehicles, boats, personal watercraft,
32 or trailers may be displayed. The sign shall contain the name of the dealership by which it is
33 known to the public through advertising or otherwise, which need not be identical to the name
34 appearing on the dealership's license so long as such name is registered as a fictitious name with
35 the secretary of state, has been approved by its line-make manufacturer in writing in the case of
36 a new motor vehicle franchise dealer and a copy of such fictitious name registration has been
37 provided to the department. Dealers who sell only emergency vehicles as defined in section
38 301.550 are exempt from maintaining a bona fide place of business, including the related law
39 enforcement certification requirements, and from meeting the minimum yearly sales;

40 (2) The initial application for licensure shall include a photograph, not to exceed eight
41 inches by ten inches but no less than five inches by seven inches, showing the business building,
42 lot, and sign. A new motor vehicle franchise dealer applicant who has purchased a currently
43 licensed new motor vehicle franchised dealership shall be allowed to submit a photograph of the
44 existing dealership building, lot and sign but shall be required to submit a new photograph upon
45 the installation of the new dealership sign as required by sections 301.550 to 301.573.
46 Applicants shall not be required to submit a photograph annually unless the business has moved
47 from its previously licensed location, or unless the name of the business or address has changed,
48 or unless the class of business has changed;

49 (3) Every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer,
50 a powersport dealer, a wholesale motor vehicle dealer, trailer dealer, or boat dealer shall furnish
51 with the application a corporate surety bond or an irrevocable letter of credit as defined in section
52 400.5-102, issued by any state or federal financial institution in the penal sum of twenty-five
53 thousand dollars on a form approved by the department. The bond or irrevocable letter of credit
54 shall be conditioned upon the dealer complying with the provisions of the statutes applicable to
55 new motor vehicle franchise dealers, used motor vehicle dealers, powersport dealers, wholesale
56 motor vehicle dealers, trailer dealers, and boat dealers, and the bond shall be an indemnity for
57 any loss sustained by reason of the acts of the person bonded when such acts constitute grounds
58 for the suspension or revocation of the dealer's license. The bond shall be executed in the name
59 of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit
60 shall name the state of Missouri as the beneficiary; except, that the aggregate liability of the
61 surety or financial institution to the aggrieved parties shall, in no event, exceed the amount of
62 the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit

63 shall be paid upon receipt by the department of a final judgment from a Missouri court of
64 competent jurisdiction against the principal and in favor of an aggrieved party. Additionally,
65 every applicant as a new motor vehicle franchise dealer, a used motor vehicle dealer, a
66 powersport dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with the
67 application a copy of a current dealer garage policy bearing the policy number and name of the
68 insurer and the insured;

69 (4) Payment of all necessary license fees as established by the department. In
70 establishing the amount of the annual license fees, the department shall, as near as possible,
71 produce sufficient total income to offset operational expenses of the department relating to the
72 administration of sections 301.550 to 301.580. All fees payable pursuant to the provisions of
73 sections 301.550 to 301.580, other than those fees collected for the issuance of dealer plates or
74 certificates of number collected pursuant to subsection 6 of this section, shall be collected by the
75 department for deposit in the state treasury to the credit of the "Motor Vehicle Commission
76 Fund", which is hereby created. The motor vehicle commission fund shall be administered by
77 the Missouri department of revenue. The provisions of section 33.080 to the contrary
78 notwithstanding, money in such fund shall not be transferred and placed to the credit of the
79 general revenue fund until the amount in the motor vehicle commission fund at the end of the
80 biennium exceeds two times the amount of the appropriation from such fund for the preceding
81 fiscal year or, if the department requires permit renewal less frequently than yearly, then three
82 times the appropriation from such fund for the preceding fiscal year. The amount, if any, in the
83 fund which shall lapse is that amount in the fund which exceeds the multiple of the appropriation
84 from such fund for the preceding fiscal year.

85 2. In the event a new vehicle manufacturer, boat manufacturer, motor vehicle dealer,
86 wholesale motor vehicle dealer, boat dealer, powersport dealer, wholesale motor vehicle auction,
87 trailer dealer, or a public motor vehicle auction submits an application for a license for a new
88 business and the applicant has complied with all the provisions of this section, the department
89 shall make a decision to grant or deny the license to the applicant within eight working hours
90 after receipt of the dealer's application, notwithstanding any rule of the department.

91 3. Upon the initial issuance of a license by the department, the department shall assign
92 a distinctive dealer license number or certificate of number to the applicant and the department
93 shall issue one number plate or certificate bearing the distinctive dealer license number or
94 certificate of number and two additional number plates or certificates of number within eight
95 working hours after presentment of the application. Upon renewal, the department shall issue
96 the distinctive dealer license number or certificate of number as quickly as possible. The
97 issuance of such distinctive dealer license number or certificate of number shall be in lieu of
98 registering each motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat

99 manufacturer, manufacturer, public motor vehicle auction, wholesale motor vehicle dealer,
100 wholesale motor vehicle auction or new or used motor vehicle dealer.

101 4. Notwithstanding any other provision of the law to the contrary, the department shall
102 assign the following distinctive dealer license numbers to:

103

- 104 New motor vehicle franchise dealers. D-0 through D-999
- 105 New powersport dealers and motorcycle franchise dealers. D-1000 through D-1999
- 106 Used motor vehicle, used powersport, and used motorcycle dealers. D-2000 through D-9999
- 107 Wholesale motor vehicle dealers. W-0 through W-1999
- 108 Wholesale motor vehicle auctions. WA-0 through WA-999
- 109 New and used trailer dealers. T-0 through T-9999
- 110 Motor vehicle, trailer, and boat manufacturers. DM-0 through DM-999
- 111 Public motor vehicle auctions. A-0 through A-1999
- 112 Boat dealers. M-0 through M-9999
- 113 New and used recreational motor vehicle dealers. RV-0 through RV-999

114

115 For purposes of this subsection, qualified transactions shall include the purchase of salvage titled
116 vehicles by a licensed salvage dealer. A used motor vehicle dealer who also holds a salvage
117 dealer's license shall be allowed one additional plate or certificate number per fifty-unit qualified
118 transactions annually. In order for salvage dealers to obtain number plates or certificates under
119 this section, dealers shall submit to the department of revenue on August first of each year a
120 statement certifying, under penalty of perjury, the dealer's number of purchases during the
121 reporting period of July first of the immediately preceding year to June thirtieth of the present
122 year. The provisions of this subsection shall become effective on the date the director of the
123 department of revenue begins to reissue new license plates under section 301.130, or on
124 December 1, 2008, whichever occurs first. If the director of revenue begins reissuing new
125 license plates under the authority granted under section 301.130 prior to December 1, 2008, the
126 director of the department of revenue shall notify the revisor of statutes of such fact.

127 5. Upon the sale of a currently licensed new motor vehicle franchise dealership the
128 department shall, upon request, authorize the new approved dealer applicant to retain the selling
129 dealer's license number and shall cause the new dealer's records to indicate such transfer.

130 6. In the case of new motor vehicle manufacturers, motor vehicle dealers, powersport
131 dealers, recreational motor vehicle dealers, and trailer dealers, the department shall issue one
132 number plate bearing the distinctive dealer license number and may issue two additional number
133 plates to the applicant upon payment by the manufacturer or dealer of a fifty dollar fee for the
134 number plate bearing the distinctive dealer license number and ten dollars and fifty cents for each

135 additional number plate. Such license plates shall be made with fully reflective material with
136 a common color scheme and design, shall be clearly visible at night, and shall be aesthetically
137 attractive, as prescribed by section 301.130. Boat dealers and boat manufacturers shall be
138 entitled to one certificate of number bearing such number upon the payment of a fifty dollar fee.
139 Additional number plates and as many additional certificates of number may be obtained upon
140 payment of a fee of ten dollars and fifty cents for each additional plate or certificate. New motor
141 vehicle manufacturers shall not be issued or possess more than three hundred forty-seven
142 additional number plates or certificates of number annually. New and used motor vehicle
143 dealers, powersport dealers, wholesale motor vehicle dealers, boat dealers, and trailer dealers are
144 limited to one additional plate or certificate of number per ten-unit qualified transactions
145 annually. New and used recreational motor vehicle dealers are limited to two additional plates
146 or certificate of number per ten-unit qualified transactions annually for their first fifty
147 transactions and one additional plate or certificate of number per ten-unit qualified transactions
148 thereafter. An applicant seeking the issuance of an initial license shall indicate on his or her
149 initial application the applicant's proposed annual number of sales in order for the director to
150 issue the appropriate number of additional plates or certificates of number. A motor vehicle
151 dealer, trailer dealer, boat dealer, powersport dealer, recreational motor vehicle dealer, motor
152 vehicle manufacturer, boat manufacturer, or wholesale motor vehicle dealer obtaining a
153 distinctive dealer license plate or certificate of number or additional license plate or additional
154 certificate of number, throughout the calendar year, shall be required to pay a fee for such license
155 plates or certificates of number computed on the basis of one-twelfth of the full fee prescribed
156 for the original and duplicate number plates or certificates of number for such dealers' licenses,
157 multiplied by the number of months remaining in the licensing period for which the dealer or
158 manufacturers shall be required to be licensed. In the event of a renewing dealer, the fee due at
159 the time of renewal shall not be prorated. Wholesale and public auctions shall be issued a
160 certificate of dealer registration in lieu of a dealer number plate. In order for dealers to obtain
161 number plates or certificates under this section, dealers shall submit to the department of revenue
162 on August first of each year a statement certifying, under penalty of perjury, the dealer's number
163 of sales during the reporting period of July first of the immediately preceding year to June
164 thirtieth of the present year.

165 7. The plates issued pursuant to subsection 3 or 6 of this section may be displayed on any
166 motor vehicle owned by a new motor vehicle manufacturer. The plates issued pursuant to
167 subsection 3 or 6 of this section may be displayed on any motor vehicle or trailer owned and held
168 for resale by a motor vehicle dealer for use by a customer who is test driving the motor vehicle,
169 for use and display purposes during, but not limited to, parades, private events, charitable events,
170 or for use by an employee or officer, but shall not be displayed on any motor vehicle or trailer

171 hired or loaned to others or upon any regularly used service or wrecker vehicle. Motor vehicle
172 dealers may display their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under
173 a loaded condition. Trailer dealers may display their dealer license plates in like manner, except
174 such plates may only be displayed on trailers owned and held for resale by the trailer dealer.

175 8. The certificates of number issued pursuant to subsection 3 or 6 of this section may be
176 displayed on any vessel or vessel trailer owned and held for resale by a boat manufacturer or a
177 boat dealer, and used by a customer who is test driving the vessel or vessel trailer, or is used by
178 an employee or officer on a vessel or vessel trailer only, but shall not be displayed on any motor
179 vehicle owned by a boat manufacturer, boat dealer, or trailer dealer, or vessel or vessel trailer
180 hired or loaned to others or upon any regularly used service vessel or vessel trailer. Boat dealers
181 and boat manufacturers may display their certificate of number on a vessel or vessel trailer when
182 transporting a vessel or vessels to an exhibit or show.

183 9. If any law enforcement officer has probable cause to believe that any license plate or
184 certificate of number issued under subsection 3 or 6 of this section is being misused in violation
185 of subsection 7 or 8 of this section, the license plate or certificate of number may be seized and
186 surrendered to the department.

187 10. (1) Every application for the issuance of a used motor vehicle dealer's license shall
188 be accompanied by proof that the applicant, within the last twelve months, has completed an
189 educational seminar course approved by the department as prescribed by subdivision (2) of this
190 subsection. Wholesale and public auto auctions and applicants currently holding a new or used
191 license for a separate dealership shall be exempt from the requirements of this subsection. The
192 provisions of this subsection shall not apply to current new motor vehicle franchise dealers or
193 motor vehicle leasing agencies or applicants for a new motor vehicle franchise or a motor vehicle
194 leasing agency. The provisions of this subsection shall not apply to used motor vehicle dealers
195 who were licensed prior to August 28, 2006.

196 (2) The educational seminar shall include, but is not limited to, the dealer requirements
197 of sections 301.550 to 301.573, the rules promulgated to implement, enforce, and administer
198 sections 301.550 to 301.570, and any other rules and regulations promulgated by the department.

301.564. 1. Any person or his agent licensed or registered as a manufacturer, motor
2 vehicle dealer, wholesale motor vehicle dealer, boat dealer, wholesale motor vehicle auction or
3 a public motor vehicle auction pursuant to the provisions of sections 301.550 to 301.573, shall
4 permit an employee of the department of revenue or any law enforcement official to inspect,
5 during normal business hours, any of the following documents which are in his possession or
6 under his custody or control:

7 (1) Any title to any motor vehicle or vessel;

8 (2) Any application for title to any motor vehicle or vessel;

- 9 (3) Any affidavit provided pursuant to sections 301.550 to 301.573 or chapter 407;
- 10 (4) Any assignment of title to any motor vehicle or vessel;
- 11 (5) Any disclosure statement or other document relating to mileage or odometer readings
- 12 required by the laws of the United States or any other state;
- 13 (6) Any inventory and related documentation.
- 14 2. For purposes of this section, the term "law enforcement official" shall mean any of the
- 15 following:
- 16 (1) Attorney general, or any person designated by him to make such an inspection;
- 17 (2) Any prosecuting attorney or any person designated by a prosecuting attorney to make
- 18 such an inspection;
- 19 (3) Any member **or authorized or designated employee** of the **Missouri state** highway
- 20 patrol [or water patrol];
- 21 (4) Any sheriff or deputy sheriff;
- 22 (5) Any peace officer certified pursuant to chapter 590 acting in his official capacity.

304.153. 1. As used in this section, the following terms shall mean:

- 2 (1) **"Law enforcement officer", any public servant, other than a patrol officer, who**
- 3 **is defined as a law enforcement officer under section 556.061;**
- 4 (2) **"Motor club", an organization which motor vehicle drivers and owners may**
- 5 **join that provide certain benefits relating to driving a motor vehicle;**
- 6 (3) **"Patrol officer", a Missouri state highway patrol officer;**
- 7 (4) **"Tow list", a list of approved towing companies compiled, maintained, and**
- 8 **utilized by the Missouri state highway patrol or its designee;**
- 9 (5) **"Tow management company", any sole proprietorship, partnership,**
- 10 **corporation, fiduciary, association, or other business entity that manages towing logistics**
- 11 **for government agencies or motor clubs;**
- 12 (6) **"Tow truck", a rollback or car carrier, wrecker, or tow truck as defined under**
- 13 **section 301.010;**
- 14 (7) **"Towing", moving or removing, or the preparation therefor, of a vehicle by**
- 15 **another vehicle for which a service charge is made, either directly or indirectly, including**
- 16 **any dues or other charges of clubs or associations which provide towing services;**
- 17 (8) **"Towing company", any person, partnership, corporation, fiduciary,**
- 18 **association, or other entity that operates a wrecker or towing service as defined under**
- 19 **section 301.010.**
- 20 2. **In authorizing a towing company to perform services, any patrol officer or law**
- 21 **enforcement officer within the officer's jurisdiction, or Missouri department of**

22 transportation employee, may utilize the services of a tow management company or tow
23 list, provided:

24 (1) The Missouri state highway patrol is under no obligation to include or retain
25 the services of any towing company in any contract or agreement with a tow management
26 company or any tow list established pursuant to this section. A towing company is subject
27 to removal from a tow list at any time;

28 (2) Notwithstanding any other provision of law or any regulation established
29 pursuant to this section, an owner or operator's request for a specific towing company shall
30 be honored by the Missouri state highway patrol unless:

31 (a) The requested towing company cannot or does not respond in a reasonable time,
32 as determined by a law enforcement officer; or

33 (b) The vehicle to be towed poses an immediate traffic hazard, as determined by
34 a law enforcement officer.

35 3. A patrol officer shall not use a towing company located outside of Missouri
36 under this section except under the following circumstances:

37 (1) A state or federal emergency has been declared; or

38 (2) The driver or owner of the vehicle, or a motor club of which the driver or owner
39 is a member, requests a specific out-of-state towing company.

40 4. A towing company shall not tow a vehicle to a location outside of Missouri
41 without the consent of the driver or owner of the motor vehicle, or without the consent of
42 a motor club of which the driver or owner of the motor vehicle is a member.

43 5. Any towing company or tow truck arriving at the scene of an accident that has
44 not been called by a patrol officer, a law enforcement officer, a Missouri department of
45 transportation employee, the driver or owner of the motor vehicle or his or her authorized
46 agent, including a motor club of which the driver or owner is a member, shall be
47 prohibited from towing the vehicle from the scene of the accident, unless the towing
48 company or tow truck operator is rendering emergency aid in the interest of public safety,
49 or is operating during a declared state of emergency under section 44.100.

50 6. A tow truck operator that stops and tows a vehicle from the scene of an accident
51 in violation of subsection 5 of this section shall be guilty of a class D misdemeanor upon
52 conviction or pleading guilty for the first violation, and such tow truck shall be subject to
53 impounding. The penalty for a second violation shall be a class A misdemeanor, and the
54 penalty for any third or subsequent violation shall be a class D felony. A violation of this
55 section shall not preclude the tow truck operator from being charged with tampering
56 under chapter 569.

57 **7. The provisions of this section shall also apply to motor vehicles towed under**
58 **section 304.155 or 304.157.**

 304.154. 1. [Beginning January 1, 2005,] A towing company operating a tow truck
2 pursuant to the authority granted in section **304.153**, 304.155, or 304.157 shall:

3 (1) Have and occupy a verifiable business address **and display such address in a**
4 **location visible from the street or road;**

5 (2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the
6 storage of motor vehicles;

7 (3) **Be open or available for a minimum of twelve hours per day, Monday through**
8 **Saturday, for fifty-two weeks per year, for a customer or his or her authorized agent or an**
9 **insurance adjuster, as defined in section 324.1100, to view or retrieve items from a vehicle**
10 **with no additional fees charged, or to retrieve the vehicle at the posted rate, during these**
11 **regular business hours. A towing company shall not assess any storage fee on a day which**
12 **the towing company is not open for business during such regular business hours;**

13 (4) **Notify the owner of a motor vehicle of the location of such motor vehicle within**
14 **twenty-four hours after being contacted by such owner;**

15 [(3)] (5) Be available twenty-four hours a day, seven days a week. Availability shall
16 mean that an employee of the towing company or an answering service answered by a person is
17 able to respond to a tow request;

18 [(4)] (6) **Have and maintain an operational telephone with the telephone number**
19 **published or available through directory assistance;**

20 (7) Maintain a valid insurance policy issued by an insurer authorized to do business in
21 this state, or a bond or other acceptable surety providing coverage for the death of, or injury to,
22 persons and damage to property for each accident or occurrence in the amount of at least five
23 hundred thousand dollars per incident;

24 [(5)] (8) Provide workers' compensation insurance for all employees of the towing
25 company if required by chapter 287; [and]

26 [(6)] (9) Maintain current motor vehicle registrations on all tow trucks currently operated
27 within the towing company fleet; **and**

28 (10) **Post at its place of business and make available upon request to consumers a**
29 **rate sheet listing all current rates applicable to towing services provided under this**
30 **chapter.**

31 2. **The initial tow performed under section 304.153, 304.155, or 304.157 shall remain**
32 **in the state of Missouri unless authorized by the vehicle owner, or his or her authorized**
33 **agent including a motor club to which the owner of the motor vehicle is a member.**

34 3. Counties may adopt ordinances with respect to towing company standards in addition
35 to the minimum standards contained in this section. A towing company located in a county of
36 the second, third, [and] or fourth classification is exempt from the provisions of this section.

37 4. **Notwithstanding any provision of law to the contrary, unless notified by a law**
38 **enforcement agency that a motor vehicle is being preserved as evidence, a storage lot**
39 **facility or towing company shall allow insurance adjusters access to and allow inspection**
40 **of a motor vehicle, without charge, at any time during the towing company's or storage lot**
41 **facility's normal business hours.**

42 5. **When a motor vehicle has been transferred to a towing company storage lot or**
43 **a vehicle storage facility, such vehicle shall not be transferred from the towing company**
44 **storage lot or vehicle storage facility without providing the owner of such vehicle twenty-**
45 **four-hour advance notice of the planned transfer. The notification shall include the**
46 **address of where the vehicle is being transferred to, and all costs associated with moving**
47 **the vehicle to a different storage lot or vehicle storage facility.**

304.170 1. No vehicle operated upon the highways of this state shall have a width,
2 including load, in excess of one hundred two inches, except clearance lights, rearview mirrors
3 or other accessories required by federal, state or city law or regulation. Provided however, a
4 recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the
5 appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such
6 mirrors may only extend the distance necessary to provide the required field of view before the
7 appurtenances were attached.

8 2. No vehicle operated upon the interstate highway system or upon any route designated
9 by the chief engineer of the state transportation department shall have a height, including load,
10 in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load,
11 in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles
12 transporting automobiles or other motor vehicles may have a height, including load, of not more
13 than fourteen feet.

14 3. No single motor vehicle operated upon the highways of this state shall have a length,
15 including load, in excess of forty-five feet, except as otherwise provided in this section.

16 4. No bus, recreational motor vehicle or trackless trolley coach operated upon the
17 highways of this state shall have a length in excess of forty-five feet, except that such vehicles
18 may exceed the forty-five feet length when such excess length is caused by the projection of a
19 front safety bumper or a rear safety bumper or both, **and such buses may exceed the forty-five**
20 **feet length, but not have a length in excess of sixty feet, when such buses are articulated**
21 **buses, having two or more sections connected by a flexible joint or other mechanism.** Such
22 safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the

23 forty-five feet length limit by more than one foot in the front and one foot in the rear.
24 **Notwithstanding the foregoing or anything otherwise provided in this section, an**
25 **articulated bus comprised of two sections may be up to sixty feet in length, not including**
26 **safety bumpers which may extend one foot in the front and one front in the rear.** The term
27 "safety bumper" means any device which may be fitted on an existing bumper or which replaces
28 the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

29 5. No combination of truck-tractor and semitrailer or truck-tractor equipped with
30 dromedary and semitrailer operated upon the highways of this state shall have a length, including
31 load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the
32 United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or
33 truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway
34 system of this state shall have an overall length, including load, in excess of the length of the
35 truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The
36 length of such semitrailer shall not exceed fifty-three feet.

37 6. In order to comply with the provisions of Title 23 of the United States Code (Public
38 Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate
39 highway system of this state shall have an overall length, including load, in excess of the length
40 of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall
41 exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-
42 eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a
43 sixty-five foot overall length limit in any state, may continue to be operated upon the interstate
44 highways of this state. On those primary highways not designated by the state highways and
45 transportation commission as provided in subsection 10 of this section, no combination of truck-
46 tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five
47 feet; provided, however, the state highways and transportation commission may designate
48 additional routes for such sixty-five foot combinations.

49 7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations,
50 stinger-steered combination automobile transporters and stinger-steered combination boat
51 transporters having a length not in excess of seventy-five feet may be operated on the interstate
52 highways of this state and such other highways as may be designated by the highways and
53 transportation commission for the operation of such vehicles plus a distance not to exceed ten
54 miles from such interstate or designated highway. All length provisions regarding automobile
55 or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations
56 shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear
57 overhang, which shall be no greater than a three-foot front overhang and no greater than a four-
58 foot rear overhang.

59 8. Driveaway saddlemount combinations having a length not in excess of ninety-seven
60 feet may be operated on the interstate highways of this state and such other highways as may be
61 designated by the highways and transportation commission for the operation of such vehicles
62 plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount
63 combinations must comply with the safety requirements of section 393.71 of Title 49 of the Code
64 of Federal Regulations and may contain no more than three saddlemounted vehicles and one
65 fullmount.

66 9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the
67 interstate and designated primary highway system of this state shall have a semitrailer length in
68 excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and
69 lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-
70 semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer
71 length when used between the first and second semitrailer of a truck-tractor semitrailer-
72 semitrailer combination, except that when there is no semitrailer mounted to the B-train
73 assembly, it shall be included in the length measurement of the semitrailer.

74 10. The highways and transportation commission is authorized to designate routes on
75 the state highway system other than the interstate system over which those combinations of
76 vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated.
77 Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this
78 section may be operated at a distance not to exceed ten miles from the interstate system and such
79 routes as designated under the provisions of this subsection.

80 11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other
81 combination of vehicles operated upon the primary or interstate highways of this state plus a
82 distance of ten miles from a primary or interstate highway shall have an overall length, unladen
83 or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway,
84 except the state highways and transportation commission may designate additional routes for use
85 by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five
86 foot saddlemount combinations. Any vehicle or combination of vehicles transporting
87 automobiles, boats or other motor vehicles may carry a load which extends no more than three
88 feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of
89 vehicles.

90 12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural
91 implements operating occasionally on the highways for short distances including tractor parades
92 for fund-raising activities or special events, provided the tractors are driven by licensed drivers
93 during daylight hours only and with the approval of the superintendent of the Missouri state
94 highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or

95 to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily
96 transporting agricultural implements or implements of husbandry or road-making machinery, or
97 road materials or towing for repair purposes vehicles that have become disabled upon the
98 highways; or to implement dealers delivering or moving farm machinery for repairs on any state
99 highway other than the interstate system.

100 (2) Implements of husbandry and vehicles transporting such machinery or equipment and
101 the movement of farm products as defined in section 400.9-102 may be operated occasionally
102 for short distances on state highways when operated between the hours of sunrise and sunset by
103 a driver licensed as an operator or chauffeur.

104 13. As used in this chapter the term "implements of husbandry" means all self-propelled
105 machinery operated at speeds of less than thirty miles per hour, specifically designed for, or
106 especially adapted to be capable of, incidental over-the-road and primary offroad usage and used
107 exclusively for the application of commercial plant food materials or agricultural chemicals, and
108 not specifically designed or intended for transportation of such chemicals and materials.

109 14. Sludge disposal units may be operated on all state highways other than the interstate
110 system. Such units shall not exceed one hundred thirty-eight inches in width and may be
111 equipped with over-width tires. Such units shall observe all axle weight limits. The chief
112 engineer of the state transportation department shall issue special permits for the movement of
113 such disposal units and may by such permits restrict the movements to specified routes, days and
114 hours.

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